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SUBJECT: ICTY Indictes' Children Supported on Humanitarian Grounds

1. (SBU) State Secretary Tomislav Ivic of the Ministry of Veterans and Family told Embassy officers on September 13 that the Government's May 12 decision to give school allowances to the children of Croats indicted by The Hague-based War Crime Tribunal (ICTY) was based on "humanitarian considerations." Ivic denied the decision was politically motivated. He said Minister Kosor had passed it, in consultation with Prime Minister Sanader, strictly on humanitarian grounds, to help the families of the indictes to cope with increased expenses (travel to The Hague, frequent long distance phone calls, etc.).

2. (U) The decision caused quite a stir in the Croatian press during the slow news month of August. Human rights activists charged that the decision was unconstitutional as it discriminated against Croatian Serb indictes, as well as those being tried for war crimes locally. Critics also argued that most indictes were wealthy individuals in no need of state support, describing the government's decision as a sort of payoff to those who helped it improve its relations with ICTY by voluntarily surrendering.

3. (U) Ivic said that, contrary to public perception, most families of ICTY indictes were not well off financially, adding that the wealthier among them (e.g. General Cermak) declined such support. When taking the decision, GOC bore in mind the presumption of innocence, as the allowance applies only to those indicted, not to those convicted. The allowance itself amounts to 500 kuna (about USD 80) a month for pre-school and school children, and 1000 kuna (USD160) for college students. This year's appropriation is 150,000 kuna (\$25,000) through December 2004. Ivic could not predict whether the program would be renewed. Asked what would happen if an indictee were found guilty, Ivic cited the case of General Blaskic (who was convicted, served time and was released), whose children no longer received government support, as a precedent.

4. (SBU) Given the minor amounts involved, we doubt there was a real political quid-pro-quo involved in the GOC's decision. Nevertheless it created a small local backlash and undermined to a small degree the GOC's public commitment to doing the right thing with indictes; a wiser minister might seek to provide allowances for impoverished indictes' families though a less controversial mechanism next year.

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